Keeping Our Kids in School

LEARN HOW RESTORATIVE JUSTICE GIVES ALL STUDENTS A CHANCE FOR A BETTER FUTURE

A Special Advertising Supplement

EXAMINING THE SCHOOL-TO-PRISON PIPELINE

The school-to-prison pipeline:
The policies and practices that directly and indirectly push students out of school and on a pathway to prison.

A student who is suspended *only once* in ninth grade, has
double the likelihood
— from 16 percent to 32 percent —
of dropping out of high school.[1]

A student who drops out of school has
3.5 times the likelihood of being arrested.[2]

In 2010, California taxpayers spent on average
$47,500
per inmate

In 2010-11, California K-12 schools spent
$8,341
per student.[3]

Sources: 1 – UCLA Center for Civil Rights Remedies; 2 – Fightcrime.org; 3 – Ed Source (student data), Vera Institute of Justice (inmate data)

COVER PHOTO BY SAL OCHOA

An Honest Look at a Real Problem

BY KATE GONZALES

Our public school system should represent democratic ideals and equity. Unfortunately, these ideals have been compromised by a zero tolerance punishment system that disproportionately harms students of color, those with disabilities, foster youth, English learners, and other marginalized groups and individuals. Punishment pushes students out of school and onto the streets where they are unsafe and uneducated. As a result, too many students are landing on a path to incarceration known as the school-to-prison pipeline.

> **"You can have the best facilities, the best teachers and the best curriculum in the world, but none of that matters if the students are not in school."**
>
> TOM TORLAKSON
> California State Superintendent of Public Instruction

Stella Connell Levy, President and Founder of the Restorative Schools Vision Project, says many students are cast aside when they should be offered a nurturing environment to grow, learn, make mistakes, develop good judgment and thrive. RSVP aims to keep students in school by ending zero tolerance and harshly punitive practices. Restorative Justice is both an ethically based philosophy and a compassionate practice that benefits the entire school community. All members of the community are accountable to each other for harmful actions, however support systems are in place to give students and teachers the tools they need to transform conflict and repair harms.

"We have to separate the person from the problem," Levy says. "That means we are supportive of the person, not the behavior."

Levy says that in order for Restorative Justice to succeed, the ethnic, linguistic, homophobic and other biases of the current system must be acknowledged and challenged.

According to the UCLA Center for Civil Rights Remedies, black high school students made up 23.2 percent of suspensions nationwide in 2011-2012, compared with 6.7 percent of white students. Latino high school students made up 10.8 percent of suspensions that year.

To illustrate the problem, Levy offers the example of two hypothetical children — one black, one white — who are the same age and exhibit the same behavior. But one is at greater risk of being pushed out of the classroom. She says the black student is three and a half times more likely to be kicked out of school.

Punitive school policies, like suspension and expulsion, disrupt learning by taking students out of the classroom. Too often labeled as "bad kids," these students are stigmatized and miss opportunities to correct their behavior and engage in meaningful conflict resolution. California State Superintendent of Public Instruction Tom Torlakson has said that he recognizes the importance of keeping all students in class.

"You can have the best facilities, the best teachers and the best curriculum in the world, but none of that matters if the students are not in school," Torlakson says.

Levy says that we have created a bias-laced system reminiscent of the segregated South of her childhood. The ripple effect of schools' punitive tactics are felt by the individual student and society at large. She wants us to ask ourselves who we want today's first graders to grow up to become — the first responders who will save lives or the wasted lives behind bars. Sadly, the worst case scenario is that the school-to-prison pipeline can deliver our citizens to the ultimate ending point: death row.

"The ramifications are huge," Levy says. "They can last a lifetime."

Stella Connell Levy, RSVP President and Founder
PHOTO BY SYLVESTER VANG

There is a better way to handle conflicts in schools: Restorative Justice. Continue reading to learn more about this approach.

Felipe's Story

AFTER FACING CHILDHOOD TRAUMA AND BIAS, ONE SCHOOL'S COMPASSIONATE INTERVENTION HELPED TURN HIS LIFE AROUND

BY KATE GONZALES

For Felipe Mercado, the path to a brighter future began with one assignment, one teacher and a bit of empathy.

Felipe experienced devastating trauma while growing up near Fresno. He was raised in a neighborhood where gangs were prevalent. His parents fought often and were emotionally abusive, and his father was in and out of jail. He made good grades in elementary school, but got off track in middle school and began to internalize his label as a bad kid.

"I went to school and people looked at me as a failure, so it made me feel like I was a failure," he says.

A final fight with his father led him to become homeless in eighth grade. Physically getting to school became a struggle. He was suspended and expelled from Sanger High School in ninth grade. After three years in continuation and home school, he returned his senior year. When Felipe was assigned a project where students made a scrapbook about their lives, he revealed his struggles. His teacher responded with much-needed empathy and encouragement.

"She told me I was strong," he remembers. "I was like, 'Well, maybe I am a good student. Maybe I am capable.'"

It was a pivotal moment. The school psychologist helped him graduate on time and enroll in community college. In 2007, he was about to transfer to California State University, Fresno, and had just had his first child when he saw how his life could have turned out. His best friend growing up, who was kicked out of school alongside him, was murdered in a gang-related shooting.

Felipe realized he wanted to change the environment for his son. He switched his major from business to social work, earning a bachelor's degree in 2010. While working on his master's thesis in 2012, his younger brother, Sammy Mercado, was gunned down near a marijuana field at age 16. He says if the schools had done more to understand his brother's circumstances, things may have turned out differently.

> **"I went to school and people looked at me as a failure, so it made me feel like I was a failure."**
>
> FELIPE MERCADO
> School counselor

"Everybody looked at my brother as a bad person," he says. "They didn't really see him as a kid who made mistakes."

Felipe is now a Restorative Justice advocate and practitioner, working with RSVP to end the school-to-prison pipeline and make a difference in the lives of youth. He worked as a restorative practices counselor at Fresno Unified School District and now works to implement Restorative Justice practices as a counselor for Central Unified School District.

"Especially for those kids who are coming from those high-risk environments, I want to basically give them the environment they've always dreamed of. For them to feel supported," he says.

Felipe Mercado nearly slipped through the cracks in high school. Today, he is a school counselor pursuing his doctorate.
PHOTO BY NATE ECKLER

EXAMINING DISPARITIES IN PUNISHMENT

Restorative Schools Vision Project calls school discipline the "civil rights issue of our time." Here's why:

In the 2011–12 school year,
20.4 percent
of African-American high school students in CA were suspended at least once, compared to 7 percent of white students.[1]

That same year, 18 percent of students enrolled in preschool were African-American, but they made up nearly half —
48 percent
— of preschool students with more than one suspension.[2]

African-American and Latino students make up
70 percent of school arrests
or referrals to law enforcement in the U.S.[3]

In the same year, African-American youth made up
34 percent of expulsions
in American schools, but were only 16 percent of the youth population.[4]

Sources: 1– schooldisciplinedata.org; 2 – U.S. Department of Education Office for Civil Rights; 3– Kirwan Institute; 4 – The Civil Rights Data Collection

Ingrid Villeda teaches fifth grade at a Los Angeles Unified School District elementary school. She uses restorative practices to build community in her classroom.
PHOTO BY SAL OCHOA

Building a Classroom Community

HOW ONE TEACHER PROMOTES TRUST AND ACCOUNTABILITY

BY KATE GONZALES

Fifth-grade teacher Ingrid Villeda says she does not need behavioral point charts or the threat of suspensions to run a good classroom. She just needs to know her students.

Villeda has been in the classroom 16 years and currently teaches at Los Angeles Unified School District's Ninety-Third Street Elementary School. She knows that each student comes to school with a unique personal story that can impact their classroom behavior.

"Part of my practice has always been to build community among all the students in my classroom," she says. "They can communicate about things that are not necessarily academic and they don't need to interrupt the instruction because they're allowed to share."

In 2013, Los Angeles Unified banned "willful defiance" suspensions, or suspensions for nonviolent disruptions. For nearly a decade, Villeda had heard parents' concerns over whether punishments like suspensions and expulsions are effective in changing students' behavior. The district, and Villeda, believe removing students from school is not the best approach.

To help form alternatives to suspension, Villeda tapped into research around the school-to-prison pipeline, as well as knowledge she's gained as a member of the California Teachers Association's Civil Rights in Education Committee. She has brought Restorative Justice tools into her classroom and trains fellow Los Angeles Unified teachers on the restorative approach.

> **"They sometimes share things that ... are important to know about a child."**
>
> INGRID VILLEDA
> Fifth-grade teacher

One of the most effective Restorative Justice tools she uses is circle discussions. Each Monday, students gather in a circle to discuss their weekends, their lives and what's going on in the community. It's a chance for students to forge meaningful connections with one another and gives Villeda insight into her students' lives.

"They sometimes share things that are personal to them, that don't appear anywhere else but are important to know about a child," she says.

Each year, Villeda hosts a breakfast for her students before Christmas break. Leading up to this special event, one student was misbehaving in class and not completing his work. She considered excluding him from the breakfast, but felt that was wrong. To her surprise, her students stepped in to confront their peer about his behavior. They had him sign a contract agreeing to change his behavior so that he could attend the breakfast.

"I was struggling with that and to my relief they solved it," she says.

Villeda does not want students to blindly follow the rules. In her class they become problem-solvers, with a sense of responsibility and accountability.

Everyone makes mistakes, but giving students a chance to work through their struggles to be productive and attentive contributors to the class environment is at the heart of Restorative Justice.

"Even if you had a bad day yesterday, you have a chance to start anew," she says.

A TEACHER'S TOOLKIT: THE FOUR R'S

Responsibility

Restorative schools expect students to take responsibility for behavior that negatively impacts others, while offering the tools to do so. In developing responsibility, students will improve in:

- Identifying and solving problems
- Reflecting on their behavior
- Ethical responsibility

Restorative

Conflicts are treated as opportunities to learn and grow. Restorative practices result in fairness and healing without punishment. These practices allow those who cause harm to make amends by:

- Respectful dialogue with the person(s) harmed
- Repairing relationships with those who were affected

Relationships

Teachers in restorative schools prioritize relationships over rules. Classroom circle discussions, mindfulness exercises like sitting in silence and other practices help students:

- Build healthy relationships with classmates and the teacher
- Gain self-awareness
- Develop strong communication skills

Respect

Teachers treat students with respect, creating mutual respect and fostering a healthy classroom community. Teachers should show respect for:

- Students' personal histories
- Every cultural background, recognizing historical injustices

Andre Griggs, far left, facilitates circle practice at Le Grand High School, promoting empathy, problem solving and equality in the classroom.
PHOTO BY CHELSY BOLSER

Circle of Trust

CIRCLE PRACTICE PROMOTES SOCIAL-EMOTIONAL LEARNING

BY ANNE STOKES

The humble circle is more than a shape — it has the power to change lives. Through the seemingly simple act of organizing classroom desks in a circle, all participants are able to collaborate verbally and communicate nonverbally while listening deeply as others express their ideas and insights.

"Circle practices bring equality to the room and an atmosphere of safety amongst the students where everyone has the chance to share," says Andre Griggs, Restorative Justice League Program Coordinator at Le Grand High School near Merced. "It's a shared power between students and teachers and its facilitation is fair amongst the students. It develops an open platform for communication. It brings down those walls."

Griggs recounts a recent classroom circle where students discussed behavior issues that were preventing the entire class from learning.

"We did a community circle on respect and how it feels when you're disrespected, how it feels when someone interrupts you when you're trying to focus," Griggs says. "All the students started to share their personal feelings and the way they felt in the classroom. There was an agreement to be more respectful to each other because now they know how others feel."

> **"Circle practices bring equality to the room and an atmosphere of safety amongst the students where everyone has the chance to share."**
>
> ANDRE GRIGGS
> Le Grand High School Restorative Justice League Program Coordinator

Restorative Justice recognizes the importance of relationships and collaborative problem-solving. The perspectives and needs of all parties, including the "harmed" and "harmer," are equally valued. Circle practice promotes fairness by shifting the focus from individuals to the entire group and giving everyone the power to create solutions. Excluding the harmer from the circle misses a teachable opportunity to learn nonviolent conflict resolution and restore peace to the classroom.

According to the Restorative Schools Vision Project, having all parties participate in a dialogue about the conflict is the best way to work as a community to resolve it. The voices of the ones who harmed as well as the ones who may have caused the harm are part of that conflict resolution process.

Circle practice helps students tap into core competencies around social and emotional learning. They learn how to separate the person from the problem to resolve complex interpersonal issues and navigate relationships, while at the same time developing a sense of self-awareness and respect for others. With tools in their emotional toolbox, students will focus on learning. Evidence shows that academics will improve as conflict diminishes.

Griggs says that adopting restorative practices at Le Grand has changed the culture of how incidents are dealt with and that students understand the integral parts they play in finding solutions to many of their own problems and conflicts.

"It takes a community to raise a child and we're putting that into action," Griggs says.

EMPATHY IN THE CLASSROOM

One of the top indicators of classroom success is whether students feel that teachers care about them and their education. Restorative Justice gives teachers tools to help them respond to and understand students' needs. Circle practice invites teachers and students to get to know each other and build community. This can be a difficult task, given that students come to school with such a wide variety of challenges, including hunger, family instability, social pressures, poverty, disability, and issues around gender, sexual and cultural identity. These struggles can interfere with their ability to learn.

Teachers who know about these challenges are better able to respond to them. If students know they are being cared for, they are more motivated to learn. Circle practice also develops social emotional skills as students become more aware of the experiences of their teachers and peers.

Restorative Justice builds empathy — and that leads to more positive outcomes for our students.

An Issue of Civil Rights and Social Justice

RESTORATIVE SCHOOLS VISION PROJECT ADVOCATES TO END THE SCHOOL-TO-PRISON PIPELINE

BY ANNE STOKES

The RSVP Board of Directors. Standing, from left: Michelle Rivera Schnack, Board Member/Trainer; Alena Marie, Program Consultant; Richard Jaffee Cohen, Board Member/Trainer; Lisa Bertaccini, Treasurer/Board Member/Trainer. Seated, from left: Orlando Fuentes, Secretary/Board Member/Trainer; Mia Myung Sook Lee, Board Member; Stella Connell Levy, Founder/President/Trainer. Not pictured: David K. Nylund, Board Member/Trainer; Theresa Montano, Board Member; Matthew Taylor, Board Member.
PHOTO BY MELISSA UROFF

There is a growing realization among educators that some classroom management practices are harmful, not healing. Punitive approaches result in outcomes that disproportionately target students of color, LGBTQ students and those with disabilities. For a decade, Restorative Schools Vision Project (RSVP) has been working to create alternatives to harsh punishments and provide schools the support they need to keep children in the classroom.

"Our purpose is to make systemic change and end the school-to-prison pipeline here in California," says RSVP President and Founder Stella Connell Levy. "We now know there is a solution. It's called Restorative Justice and it's a civil rights [and] social justice movement. We're just trying to contribute everything we can to support that."

Levy has dedicated her life to social justice and civil rights issues. Her career path, which started as a fourth-grade teacher in the segregated South and progressed to juvenile defense work as an attorney in California, has given her a unique perspective on how current discipline policies are doing a disservice to students. According to Levy, zero tolerance policies gained favor in the 1980s beginning in the criminal justice system and then trickling down to our schools. Children's mistakes began to be treated as little crimes rather than teachable moments. "Before long," she adds, "schools became addicted to punishment for non-normative behaviors."

She came across the concept of Restorative Justice, which grew out of indigenous wisdoms and was being successfully used in the juvenile justice system in New Zealand. "It seemed like a very good alternative where the goal is supposed to be based on rehabilitation," she says.

> **"Our purpose is to make systemic change and end the school-to-prison pipeline here in California."**
>
> STELLA CONNELL LEVY
> Restorative Schools Vision Project
> President and Founder

In 2006, Levy, along with her husband, lawyer and mediator Richard Jaffee Cohen, were contracted by the Sacramento City Unified School District to train employees in Restorative Justice practices. Since then, RSVP has grown into one of the state's leading nonprofit advocacy and training organizations. They have created professional development education for administrators, teachers and social workers, and have worked with the California Teachers Association, the California Federation of Teachers and the California Association of School Psychologists. RSVP also works hands-on at schools to help administrators, staff and students implement comprehensive Restorative Justice programs and replace punitive measures with community engagement.

RSVP has successfully advocated for statewide funding for increased Restorative Justice training for schools. With millions of dollars in state funding earmarked for implementing alternative discipline approaches, RSVP would like to help even more school districts embrace restorative practices.

Teri Burns, a legislative advocate for the California School Boards Association, is one ally of RSVP who is helping lawmakers keep sight of how restorative practices can benefit students and teachers.

"Teachers want to help kids learn, that's why they're there. Teachers have found Restorative Justice to be a great classroom management tool," Burns says. "Restorative Justice has show a lot of great results, so we're advocating to make better use of that throughout the state."

For more information, please visit: restorativeschoolsproject.org

RSVP BEST PRACTICES

Restorative Justice

Focusing school discipline on repairing relationships and teachable moments rather than punishing for breaking rules.

Trauma-Informed Practices

Educating the whole child by providing a physically and emotionally safe space for healing.

Social Emotional Learning

Developing five core competencies — relationship skills, social awareness, self-management, self-awareness and responsible decision-making.

Classroom Circles

Developing emotional literacy, leadership and positive relationships in a safe, non-judgmental space.

Whole School Implementation

Fostering a positive school climate and a connected school community.

Narrative Conflict Transformation

Separating the person from the problem.

Good for Schools, Good for California

SYSTEM LEADERS ARE TAKING THE MOVEMENT STATEWIDE

Eva Paterson, Equal Justice Society

For three decades, Paterson has been a champion for civil rights. As President and co-founder of the Oakland-based Equal Justice Society, she works to make sure school discipline practices do not conflict with the California Constitution, which mandates that the state provide *every* student in public school the educational opportunity to succeed.

"Latino and black children are being suspended and expelled in disproportionate numbers. It is well-known that missing even a day of school reduces the likelihood of a child graduating," she says. "The Equal Justice Society works with educators and social scientists to develop interventions that reduce the disproportionality and keep children in school."

Assemblymember Kevin McCarty, District 7

McCarty believes the state must do more to close the achievement gap for underrepresented students. In his work on the Assembly Education Committee and the Assembly Select Committee on Status of Boys and Men of Color, McCarty has seen how harsh school discipline policies are affecting youth. In February 2016, he introduced AB 2489, which would provide schools with the tools to implement Restorative Justice programs.

"These programs provide youth, especially kids from underrepresented communities, the opportunity to not only stay in their classroom but also learn from their peers about any behavioral changes they may need," McCarty says. "Healthy peer connections, instead of harsh discipline, has been found to be more effective in changing student behavior."

Eric Heins, President of California Teachers Association

Heins and the California Teachers Association (CTA) are supporting policies that keep kids in school and give teachers the supports they need to achieve that. The CTA is advancing policies that increase access to professional development in Restorative Justice practices and culturally responsive instruction. Focusing on reducing suspension and expulsion rates alone won't work, Heins says — schools need a tool to do it. Heins says teachers need and want Restorative Justice.

"Restorative Justice makes the classroom more functional and gives teachers skills to connect with students in a different way rather than a punitive way," Heins says. "When students have a relationship with the teacher, they are more likely to stay in school."

RSVP IN ACTION: RESTORATIVE JUSTICE GETS RESULTS

At Natomas Middle School in the 2014-2015 school year:

Classroom circles: **545**

Mediations: **112**

Suspensions Prevented: **330**

	Instruction days missed	Total suspensions	5-day suspensions	Expulsions
2013-2014 school year:	583	158	46	5
2014-2015 school year:	401	123	21	2
	↓ 31%	↓ 22%	↓ 54%	↓ 60%

How to Bring Restorative Justice to Your School

KNOW YOUR SCHOOL BOARD

School districts make decisions on which critical areas to prioritize based on recommendations from Local Control Accountability Plan (LCAP) advisory committees. Parents and community members can reach out to school board members to advocate for resources, such as Restorative Justice programs, for their schools.

GET INVOLVED AT SCHOOLS

Parents and community members can also advocate for Restorative Justice programs at their school level. Talk to administrators about contacting RSVP to inquire about professional development workshop opportunities for staff as well as for student groups.

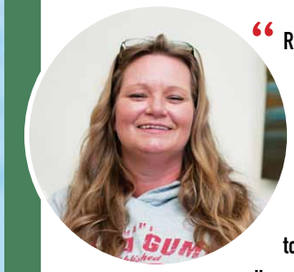
DONATE DIRECTLY TO RSVP ONLINE

RSVP is a 501(c)(3) educational nonprofit. Donations are used to educate teachers, students, families, lawmakers, and others about the Restorative Justice solution to the crisis in school discipline. RSVP works to help students and communities organize to support civil rights and end the school-to-prison pipeline.

For more information, including how to donate, please visit: restorativeschoolsproject.org

VOICES OF THE PEOPLE FOR RESTORATIVE JUSTICE

A PARENT



"Restorative Justice is teaching my daughter how to resolve conflicts without fighting or arguing with people. She's learning how to actually sit down and discuss problems with people."

Jenné Esteves

A STUDENT

"Restorative Justice has really helped the school. If you have drama with somebody, you're going to stay angry, but through Restorative Justice, you can talk it out with the person in a peaceful environment. It's really calm."

Terané Mallett

A TEACHER

"Students have an opportunity to know me better as a human being. They have learned that I have kids myself, and those types of personal connections helped shape how much they trust me. It's made teaching easier for me."

Ingrid Villeda

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